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09/776,609	02/02/2001	Kenneth W. Richards	13095.11USU1	4341

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EXAMINER
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SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/776,609

Applicant(s)

RICHARDS ET AL.

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: ____.  |

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### **DETAILED ACTION**

*Claims 1-75 are pending.*

#### ***Priority***

1. Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 120. The certified copy has been filed in provisional Application No. 60/253,193 filed on 11/27/2000.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 07/01/2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the Office. An initialed and dated copy of Applicant's IDS form 1449, is attached to the instant Office action.

#### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 140. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement

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sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-10, 13, 17, 19, 23, 27, 29, 32-38, 41, 45, 47, 51, 55, 57, 60-62 and 68-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Dillon et al (USPN 6,658,463).

a. Per claim 1, Dillon et al teach a method for automatically accessing network content for a requesting device, comprising the steps of:

- providing a filter proxy (Abstract; upstream and downstream proxy servers);
- accessing the network content on behalf of the requesting device (Fig.1, col.1 line 58-col.2 line 69, and col.4 lines 21-59; accessing the network's content on behalf of requests from requesting device);
- providing filtered network content according to a set of parameters (Abstract; proxy servers filter according to multicast transmissions of URLs); and

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- transmitting the filtered network content to a receiving device by the filter proxy (Fig.1-2 and col.2 lines 5-62; transmission of filter content filtered by downstream proxy servers to receiving devices).

b. Per claim 32, Dillon et al teach a filter proxy system for automatically accessing network content for a requesting device, comprising:

- a communications/gateway server for communicating with the requesting device and a receiving device (Fig.1, 4, and 5; function achieved by downstream proxy server and satellite receiver);
- a filter proxy, coupled to the communications/gateway server, for accessing the network content on behalf of the requesting device, providing filtered network content according to a set of parameters, and transmitting the filtered network content to the receiving device via the communications/gateway server (Abstract, Fig.1-2 and col.2 lines 5-62 ; proxy servers filter according to multicast transmissions of URLs and transmission of filter content filtered by downstream proxy servers to receiving devices); and
- a storage, coupled to the filter proxy, for storing the parameters (col.2 lines 46-55 and col.4 lines 53-59; proxy servers have storage).

c. Per claim 2, Dillon et al teach the method in accordance with claim 1, further comprising a step of caching accessed network content (col.2 lines 23-62; upstream proxy server caches accessed network content).

d. Claim 33 is substantially similar to claim 2 and is therefore rejected under the same basis.

e. Per claim 3, Dillon et al teach the method in accordance with claim 1, further comprising a step of caching the filtered network content (col.4 lines 41-52; downstream proxy server caches filtered network content).

f. Claim 34 is substantially similar to claim 3 and is therefore rejected under the same basis.

g. Per claim 4, Dillon et al teach the method in accordance with claim 1, further comprising a step of filtering the accessed network content by the filter proxy according to the set of parameters, wherein the step of providing the filtered network content includes providing the filtered network content filtered by the filter proxy (col.4 lines 21-59 and col.9 lines 11-29; downstream proxy server filters accessed network content).

h. Claim 35 contains limitations substantially similar to the limitations of claim 4 and is therefore rejected under the same basis.

i. Per claim 5, Dillon et al teach the method in accordance with claim 2, wherein the step of accessing the network content includes accessing the cached network content (col.2 lines 23-62; upstream proxy server caches accessed network content).

j. Claim 7 contains limitations substantially similar to the limitations of claim 5 and is therefore rejected under the same basis.

k. Claims 6 and 8 contain limitations substantially similar to the limitations of claim 4 and are therefore rejected under the same basis.

l. Per claim 9, Dillon et al teach the method in accordance with claim 1, further comprising a step of distributing filtering of the network content to a second filter proxy according to the set of parameters (Fig.1, 4, Abstract, col.2 lines 5-62 and col.4 lines 43-59; distribution of filter network content to second proxy server based on status of entries in database and cache misses).

m. Claims 36 and 37 are substantially similar to claim 9 and are therefore rejected under the same basis.

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n. Per claim 10, Dillon et al teach the method in accordance with claim 1, wherein the receiving device is the requesting device (col.2 lines 23-28; requesting device is also the receiving device).

o. Claim 38 is substantially similar to claim 10 and is therefore rejected under the same basis.

p. Per claim 13, Dillon et al teach the method in accordance with claim 4, wherein the step of filtering the network content includes a step of compressing an image (col.12 line 10-col.14 line 20 and col.14 line 47-col.16 line 57; includes image compression).

q. Claims 23 and 41 are substantially similar to claim 13 and are therefore rejected under the same basis.

r. Per claim 17, Dillon et al teach the method in accordance with claim 4, wherein the step of filtering the network content includes a step of compressing text (col.14 line 47-col.16 line 57; includes text compression).

s. Claims 27 and 45 are substantially similar to claim 17 and are therefore rejected under the same basis.

t. Per claim 19, Dillon et al teach the method in accordance with claim 4, wherein the step of filtering the network content includes a step of compressing a mark-up language (ML) (col.15 line 62-col.16 line 44; compression of HTML).

u. Claims 29 and 47 are substantially similar to claim 19 and are therefore rejected under the same basis.

v. Per claim 51, Dillon et al teach the system in accordance with claim 37, wherein the second filter proxy filtering the network content includes the second filter proxy compressing

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an image (col.4 line 63-col.5 line 3 and col.12 lines 53-58; P2P protocol implemented from the proxy servers performs content compression—image inclusive, one or more downstream or upstream proxy servers may function as second filter proxy).

w. Per claim 55, Dillon et al teach the system in accordance with claim 37, wherein the second filter proxy filtering the network content includes the second filter proxy compressing text (col.4 line 63-col.5 line 3 and col.12 lines 53-58; P2P protocol implemented from the proxy servers performs content compression—text inclusive, one or more downstream or upstream proxy servers may function as second filter proxy).

x. Per claim 57, Dillon et al teach the system in accordance with claim 37, wherein the second filter proxy filtering the network content includes the second filter proxy compressing a mark-up language (ML) (col.4 line 63-col.5 line 3, col.12 lines 53-58 and col.15 line 62-col.16 line 44; P2P protocol implemented from the proxy servers performs content compression and compression of HTML, one or more downstream or upstream proxy servers may function as second filter proxy).

y. Per claim 60, Dillon et al teach the system in accordance with claim 32, wherein the filter proxy further comprises:

- a master browser for browsing the accessed network content (Fig.1, col.1 line 58-col.3 line 26 and col.7 lines 17-28; PC web browser browses accessed network content ); and
- a filter proxy server array for processing a plurality of requests from at least one requesting device (Fig. 1, 2, 4 and 5; filter proxy server array processes multiple requests from at least one requesting device).

z. Per claim 61, Dillon et al teach the system in accordance with claim 60, wherein the communication between the communications/gateway server is continuous (Fig.4 and col.1 lines 15-21, 58-col.2 line 4; continuous satellite gateway in communication with proxy servers).

aa. Per claim 62, Dillon et al teach the system in accordance with claim 36, wherein the first filter proxy provides the network content according to resources available and capacity, and the second filter proxy provides the network content according to the set of parameters on behalf of the first filter proxy (Abstract and col.7 line 17-col.11 line 25; a first filter proxy could be one of the three types of downstream proxy servers providing network content according to resources of the network's topology—reporting, according to memory resources desired by the downstream proxy servers—non-reporting; whereas the second filter proxy could be realized through the best effort downstream proxy servers providing network content according to multicast transmission parameters from the upstream proxy server and the other downstream proxy servers).

bb. Per claim 68, Dillon et al teach the system in accordance with claim 32, wherein the requesting device includes a client filter proxy for providing a custom transport protocol with the filter proxy (col.6 lines 20-30; proxy server on the user's PC allows access to network data cached while offline, proxy servers by virtue and definition perform filtering, hence achieving the function of a client filter proxy).

cc. Per claim 69, Dillon et al teach the system in accordance with claim 68, wherein a continuous connection is maintained between the client filter proxy on the requesting device and the filter proxy (col.1 lines 15-21 and col.6 lines 20-65; continuous connection is maintained to

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filter proxy even without Internet connection to provide content from filter proxy's cache even while offline).

dd. Claim 70 is substantially similar to claim 68 and is therefore rejected under the same basis.

ee. Per claim 71, Dillon et al teach the system in accordance with claim 36, wherein the requesting device includes a client filter proxy for providing a custom transport protocol with the filter proxy and the second filter proxy (Abstract, col.1 lines 15-21 and col.6 lines 20-65; continuous connection is maintained to filter proxy even without Internet connection to provide content from filter proxy's cache even while offline—upstream proxy acts as filter proxy while downstream proxy acts as second filter proxy communicating through a proxy server protocol).

ff. Claims 72-75 contain limitations substantially similar to the limitations of claims 70 and 71 and are therefore rejected under the same basis.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11, 12, 14-16, 18, 21, 22, 24-26, 28, 31, 39, 40, 42-44, 46, 49, 50, 52-54, 56, 59 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon et al in view of Kikinis (USPN 6,553,410).

a. Per claim 11, Dillon et al teach the method of claim 4 as applied above, yet fails to teach the method in accordance with claim 4, wherein the step of filtering the network content includes a step of re-purposing an image. However, Kikinis teaches filtering network content among requesting devices based on the device characteristics including processing graphics and text to provide formats, resolution and sizing compatible with the requesting device (col.11 lines 22-27, col.14 lines 29-52 and col.15 lines 1-18).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide for filtering including the process re-purposing of images for the purpose of providing device-specific network content compatible with the requesting device. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

b. Claims 15, 21, 25, 39, 43 and 49 are substantially similar to claim 11 and are therefore rejected under the same basis.

c. Per claim 12, Kikinis teaches method in accordance with claim 11, wherein the step of filtering the network content includes a step of re-authoring a mark-up language (ML) of the image (col.4 lines 16-25, col.8 lines 9-46, col.11 lines 28-37 and col.14 lines 29-52; translation of HTML—used for text and images—to a form usable for hand-held units).

d. Claims 14, 16, 18, 22, 24, 26, 28, 40, 42, 44 and 46 are substantially similar to claim 12 and are therefore rejected under the same basis.

e. Per claim 31, Dillon et al teach the method of claim 1 as applied above, yet fails to teach the method in accordance with claim 1, wherein the set of parameters includes system and device profiles, user preference, and a template. However, Kikinis teaches use of a template

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and list with features and user preferences profiling characteristics of the device (Abstract, col.15 lines 55-65, col.25 line 54-col.26 line 67 and col.27 lines 35-49).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide templates or profiles of the device and the user's preferences for the purpose of maintaining a record of the device features and how the user prefers for the device to operate along with the how the content is to be displayed on the device. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

f. Claims 59 and 64 are substantially similar to claim 31 and are therefore rejected under the same basis.

g. Per claim 50, Kikinis teaches the system in accordance with claim 49, wherein the second filter proxy filtering the network content includes the second filter proxy re-authoring a mark-up language (ML) of the image (col.13 line 28-col.14 line 22 and col.15 lines 1-18; implementation of multiple of matrix proxy servers operating in a load-balancing nature, allow specific proxy servers dedicated to filtering network content among requesting devices based on the device characteristics including processing graphics and text to provide formats, resolution and sizing compatible with the requesting device).

h. Per claim 52, Dillon et al teach the system of claim 51 as applied above, yet fails to teach the system in accordance with claim 51, wherein the second filter proxy filtering the network content includes the second filter proxy re-authoring a mark-up language (ML) of the image. However, Kikinis teaches implementation of multiple of matrix proxy servers operating in a load-balancing nature, allowing specific proxy servers to perform filtering network content

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among requesting devices based on the device characteristics including processing graphics and text to provide formats, resolution and sizing compatible with the requesting device (col.13 line 28-col.14 line 22 and col.15 lines 1-18).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide multiple proxy servers that filter based on particular defined parameters for the purpose of distributing the load from using only one proxy to multiple and for allowing proxy servers that are filter-specific. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

i. Per claim 53, Dillon et al teach the system of claim 37 as applied above, yet fails to teach the system in accordance with claim 37, wherein the second filter proxy filtering the network content includes the second filter proxy re-purposing text. However, Kikinis teaches implementation of multiple of matrix proxy servers operating in a load-balancing nature, allowing specific proxy servers to perform filtering network content among requesting devices based on the device characteristics including processing graphics and text to provide formats, resolution and sizing compatible with the requesting device (col.13 line 28-col.14 line 40).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide multiple proxy servers that filter based on particular defined parameters for the purpose of distributing the load from using only one proxy to multiple and for allowing proxy servers that are filter-specific. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

j. Claims 54 and 56 contain limitations substantially similar to the limitations of claims 12 and 53 and are therefore rejected under the same basis.

8. Claims 20, 30, 48, 58, 63 and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis in view of Theriault et al (USPN 6,049,821).

a. Per claim 20, Dillon et al teach the method of claim 19 including compressing a mark-up language as applied above, yet fails to distinctly disclose the step of re-authoring the compressed mark-up language. However, Theriault et al teach re-authoring compressed HTML (col.5 lines 33-41, col.16 lines 5-14 and col.17 line 39-col.18 line 35).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide filtering for the re-authoring of a compressed mark-up language for the purpose being able to edit a mark-up language even after it has undergone compression. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

b. Claims 30, 48 and 58 are substantially similar to claim 20 and are therefore rejected under the same basis.

c. Per claim 63, Kikinis teaches the system of claim 59 including re-purposing and re-authoring as applied above, yet fails to distinctly disclose wherein the user preference includes a user preferable format compressing the network content. However, Theriault et al teach modifying compression options according to the user's preference (col.10 lines 43-54 and col.17 lines 39-50).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide compression options for the user to modify for the

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purpose of allowing the user to customize content to their liking. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

d. Per claim 65, Theriault et al teach the system in accordance with claim 63, wherein the requesting device includes a user interface to change the user preference (Abstract and col.5 lines 6-10; implied user interface allows user to make selections and interact with the system).

e. Per claim 66, Theriault et al teach system in accordance with claim 65, wherein the filter proxy authors the user interface into a mark-up language of each page of the network content downloaded to the receiving device to provide a user real-time control of the preferable format of re-purposing, re-authoring, and compressing the downloaded network content (Fig.2, col.9 line 14-col. 12 line 28; users has real-time control of their preferences by selecting the filtering services preferred, placing and storing it in the database of the proxy via access of the configuration page and browser ID of the user).

f. Claim 67 is substantially similar to claim 66 and is therefore rejected under the same basis.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Nagar et al (USPN 6,604,143) disclose scalable proxy servers with plug-in filters.

b. Coile et al (USPN 6,598,081) disclose a method and apparatus for eliminating use of a transfer protocol on a proxied connection.

c. Pepe et al (USPN 5,673,322) disclose a system and method for providing protocol translation and filtering to access the WWW from wireless or low-bandwidth networks.

d. Cook (USPN 6,697,806) disclose access network authorization.

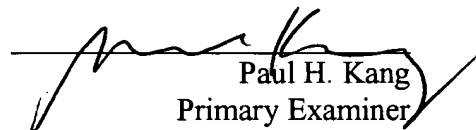
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 703-605-4244. The examiner can normally be reached on Monday-Friday 8:30-6:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles  
Examiner  
Art Unit 2141

kds

  
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